

COUNTY OF LINCOLN
New Mexico
Special Meeting
Board of County Commissioners

Eileen M. Sedillo, Chairwoman
Mark Doth, Member
Tom Battin, Member
Glenna N. Robbins, Treasurer
Rhonda B. Burrows, Clerk

Jackie Powell, Vice-Chairwoman
Kathryn L. Minter, Member
R.E. "Rick" Virden, Sheriff
Paul Baca, Assessor
Stirling Spencer, Interim Probate

Nita Taylor, County Manager

Agenda

Commission Chambers, Thursday, September 6, 2012 @9:00 A.M

1. Roll Call
2. Pledge of Allegiance
 - A. Pledge – U.S.A. Flag
 - B. Salute – N.M. Flag – ("I salute the flag of the State of New Mexico, the Zia Symbol of perfect friendship among united cultures")
3. Approval of Agenda
4. Approval of Consent Agenda
 - A. Sun Valley Water & Sanitation District Mill Request
5. Potential Approval of Sponsorship of NRCS Damage Survey Requests for Emergency Watershed Protection Programs
6. Approval/Imposition of Property Tax Rates for 2012-2013
7. Next Regular Meeting – Tuesday, September 18, 2012
8. Adjournment

PLEASE NOTE: ALL SUBJECTS LISTED ON THIS AGENDA ARE TO BE CONSIDERED ACTION ITEMS BY THE BOARD OF COUNTY COMMISSIONERS UNLESS OTHERWISE INDICATED.

September 6, 2012: THIS AGENDA IS SUBJECT TO CHANGE

AGENDA DOCUMENTATION
September 6, 2012

Agenda Item No. 4

SUBJECT

Approval of Consent Agenda

ACTION REQUESTED BY

County Manager

ACTION REQUESTED

To be determined

BACKGROUND

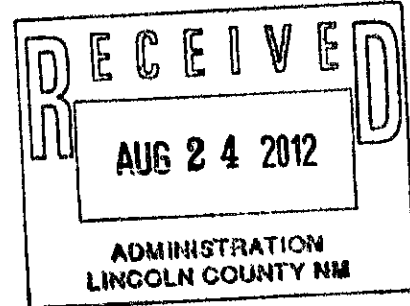
A. Sun Valley Water & Sanitation District Mill Request

4000

**SUN VALLEY WATER & SANITATION DISTRICT
PO BOX 151
ALTO, NM 88312-0151**

August 21, 2012

Board of Lincoln County
PO Box 709
Carrizozo, NM 88301-0709



Dear Commissioners:

By Vote of the Board of Directors of Sun Valley Water & Sanitation District at it meeting on July 9, 2012 certifies to you a levy of six (6.0) mils for fiscal year 2012/2013 and directs the you levy this tax upon the assessed valuation of all taxable property within the boundaries of the Sun Valley Water & Sanitation District, in addition to other taxes you may levy, in accordance with the 7-18-16, New Mexico Statutes Annotated, 1953 and 73-21-17, 73-21-18 NMSA 1978.

Attached to support this levy are copies of the following:

1. Resolution adopting the mill levy for fiscal year 2012/2013.
2. DFA correspondence certifying Sun Valley Water & Sanitation District budget for fiscal year 2012/2013.

Respectfully submitted,

Charles Britten
Treasurer

Enclosures

RESOLUTION 2012-1

Resolution to adopt mill levy for fiscal year July 1, 2012 to June 30, 2013 for Sun Valley Water and Sanitation District.

WHEREAS, THE Governing Body of Sun Valley Water & Sanitation District, County of Lincoln, State of New Mexico, has determined a 6 % mill levy for fiscal year 2012/2013;

WHEREAS, said 6% mill levy was developed on the basis of need and through cooperation with all user departments, elected officials and department supervisors, and;

WHEREAS, it is the majority opinion of this Board that the 6% mill levy meets the requirements as currently determined for fiscal year 2012/2013;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Governing Body of Sun Valley Water and Sanitation District, County of Lincoln, State of New Mexico, hereby adopts a 6% mill levy herein above described and respectfully requests approval from the Local Government Division of the Department of Finance and Administration.

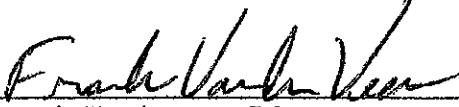
RESOLVED in session this 9th day of July, 2012, the Governing Body of Sun Valley Water and Sanitation District, New Mexico.


Jim Miller, Chairman

Absent - Excused
Janetta Britten, Vice Chairman

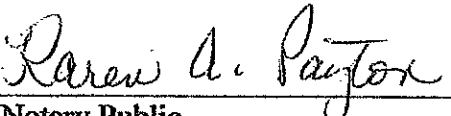

Charles Britten, Director/Treasurer

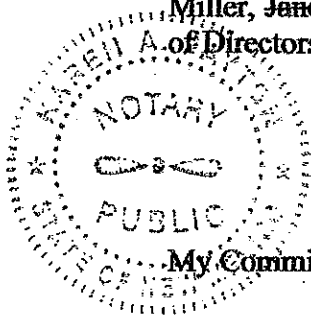

Marc Stewart, Director


Frank Vanderveen, Director

STATE OF NEW MEXICO }
 s.s. }
COUNTY OF LINCOLN }

The foregoing instrument was acknowledged before me this 9th day of July, 2012 by Jim Miller, Janetta Britten, Charles Britten, Marc Stewart, and Frank Vanderveen, the Board of Directors of Sun Valley Water and Sanitation District.


Notary Public



My Commission Expires: 06-09-2016

SUSANA MARTINEZ
GOVERNOR

THOMAS E. CLIFFORD, Ph.D.
CABINET SECRETARY



RYAN GLEASON
DIRECTOR

SAM OJINAGA
DEPUTY DIRECTOR

STATE OF NEW MEXICO
DEPARTMENT OF FINANCE AND ADMINISTRATION
LOCAL GOVERNMENT DIVISION
Bataan Memorial Building • Suite 201 • Santa Fe, NM 87501
PHONE (505) 827-8051 • FAX (505) 827-4948

August 17, 2012

Sun Valley Water & Sanitation District
Attention: Jim Miller, Chairman
1096 Mechem Drive #225
Ruidoso, NM 88345-7067

Dear Chairman Miller:

The final budget of your local government entity for Fiscal Year 2012-13, as approved by your governing body, has been examined and reviewed. We find it has been developed in accordance with applicable statutes and budgeting guidelines. Sufficient resources appear to be available to cover budgeted expenditures.

In accordance with Section 6-6-2-(E) NMSA 1978, the Local Government Division (Division) certifies the final FY 2012-13 budget. *The Budget Certification Rule, 2.2.3 NMAC*, requires that the FY 2010-11 audit should have been already submitted to the Office of the State Auditor. The information obtained by the Division from the Office of the State Auditor's website indicates that you are in compliance with this requirement.

If you have more current information than what was obtained by the Division from the Office of the State Auditor's website, please send me a letter with this information. Their website indicates that the last time your district had an audit was 2006. Please clarify.

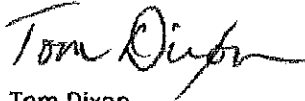
Budgets approved by the Division are required to be made a part of the minutes of your governing body according to Section 6-6-5 NMSA 1978. In addition, Section 6-6-6 NMSA 1978 provides that the approved budget is binding on local officials and governing authorities. Any official or governing authority approving claims or paying warrants in excess of the approved budget or available funds will be liable for such claims and warrants allowed.

Furthermore, state statute requires all revenue sources be expended only for public purposes, and when applicable, in accordance with the Procurement Code, Chapter 13, Article 1, NMSA 1978. Use of public revenue is also governed by Article 9, Section 14 of the Constitution of the State of New Mexico, commonly referred to as the Anti-Donation Clause.

Finally, please be advised that approval by the Division is required by Section 6-6-2 (G) (H) NMSA 1978, of all transfers between funds and all budget increases.

If you have any questions, please call me at (505) 827-8059.

Sincerely,

A handwritten signature in cursive script that reads "Tom Dixon".

Tom Dixon

Budget and Finance Analyst

Cc. Charles Britten, Treasurer

AGENDA DOCUMENTATION
September 6, 2012

Agenda Item No. 5

SUBJECT

Potential Approval of Sponsorship of NRCS Damage Survey Requests (DSR) for Emergency Watershed Protection Programs

ACTION REQUESTED BY

County Manager

ACTION REQUESTED

To be determined

BACKGROUND

See attached summaries (enclosures 1-4) County Manager's write-up will be handed out at meeting.

DAMAGE SURVEY REPORT (DSR)
Emergency Watershed Protection Program – Recovery

Section 1A

Date of Report: **7-11-12**

DSR Number: **LBF 2012-13**

Project Number: **5029**

Section 1B Sponsor Information

Sponsor Name:

Address:

City/State/Zip:

Telephone Number:

Fax:

Section 1C Site Location Information

County: **Lincoln**

State: **New Mexico**

Congressional District: **2**

Latitude: _____ Longitude: _____ Section: _____ Township: _____ Range: _____

UTM Coordinates: **13S 0438579 3701161** (lower reach where Highways 37 and 48 meet)

Drainage Name: **Lower Rio Bonito** Reach: **28,000 feet**

Damage Description: **Little Bear Fire has destroyed vegetation on watershed, increasing potential for damage to residences from overland flow down steep slopes**

Section 1D Site Evaluation

All answers in this Section must be YES in order to be eligible for EWP assistance.

Site Eligibility	YES	NO	Remarks
Damage was a result of a natural disaster?*	X		
Recovery measures would be for runoff retardation or soil erosion prevention?*	X		
Threat to life and/or property?*	X		
Event caused a sudden impairment in the watershed?*	X		
Imminent threat was created by this event?**	X		
For structural repairs, not repaired twice within ten years?**	X		
Site Defensibility			
Economic, environmental, and social documentation adequate to warrant action (Go to pages 3, 4, 5 and 6 ***)	X		
Proposed action technically viable? (Go to Page 9 ***)	X		

Have all the appropriate steps been taken to ensure that all segments of the affected population have been informed of the EWP program and its possible effects? **YES**

Comments: **News media, public meetings**

* Statutory

** Regulation

*** DSR Pages 3 through 5 are required to support the decisions recorded on this summary page. If additional space is needed on this or any other page in this form, add appropriate pages.

ENC 1

DSR NO: LBF 2012-13 Lower Rio Bonito

Section 1E Proposed Action

Describe the preferred alternative from Findings: Section 5 A:

Place concrete barriers and silt fences around homes to protect against flooding due to Little Bear Fire. And remove debris from burned homes that do not have insurance, and haul to appropriate site. If encountered, hazardous materials will be hauled to a site that accepts hazardous materials according to state and federal regulations.

Total installation cost identified in this DSR: Section 3: **\$114,650**

Section 1F NRCS State Office Review and Approval

Reviewed By: Clifford E. Sánchez Date Reviewed: 7-11-12
State EWP Program Manager

Approved By: _____ Date Approved: _____
State Conservationist

PRIVACY ACT AND PUBLIC BURDEN STATEMENT

NOTE: The following statement is made in accordance with the Privacy Act of 1974, (5 U.S.C. 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the following information is 7 CFR 624 (EWP) and Section 216 of the Flood Control Act of 1950, Public Law 81-516, 33 U.S.C. 701b-1; and Section 403 of the Agricultural Credit Act of 1978, Public Law 95-334, as amended by Section 382, of the Federal Agriculture Improvement and Reform Act of 1996, Public Law 104-127, 16 U.S.C. 2203. EWP, through local sponsors, provides emergency measures for runoff retardation and erosion control to areas where a sudden impairment of a watershed threatens life or property. The Secretary of Agriculture has delegated the administration of EWP to the Chief or NRCS on state, tribal and private lands.

Signing this form indicates the sponsor concurs and agrees to provide the regional cost-share to implement the EWP recovery measure(s) determined eligible by NRCS under the terms and conditions of the program authority. Failure to provide a signature will result in the applicant being unable to apply for or receive a grant the applicable program authorities. Once signed by the sponsor, this information may not be provided to other agencies. IRS, Department of Justice, or other State or Federal Law Enforcement agencies, and in response to a court or administrative tribunal.

The provisions of criminal and civil fraud statutes, including 18 U.S.C. 286, 287, 371, 641, 651, 1001; 15 U.S.C. 714m; and 31 U.S.C. 3729 may also be applicable to the information provided. According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0578-0030. The time required to complete this information collection is estimated to average 117/1.96 minutes/hours per response, including the time for reviewing instructions, searching existing data sources, field reviews, gathering, designing, and maintaining the data needed, and completing and reviewing the collection information.

USDA NONDISCRIMINATION STATEMENT

"The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.)

Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotope, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination write USDA, Director of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-941 0 or call (800)795-3272 (voice) or (202)720-6382 (TDD). USDA is an equal opportunity provider and employer.

Civil Rights Statement of Assurance

The program or activities conducted under this agreement will be in compliance with the nondiscrimination provisions contained in the Titles VI and VII of the Civil Rights Act of 1964, as amended; the Civil Rights Restoration Act of 1987 (Public Law 100-259); and other nondiscrimination statutes: namely, Section 504 of the Rehabilitation Act of 1973, Title IX of the Amendments of 1972, the Age Discrimination Act of 1975, and the Americans with Disabilities Act of 1990. They will also be in accordance with regulations of the Secretary of Agriculture (7 CFR 15, 15a, and 15b), which provide that no person in the United States shall on the grounds of race, color, national origin, gender, religion, age or disability, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the U.S. Department of Agriculture or any agency thereof.

DAMAGE SURVEY REPORT (DSR)
Emergency Watershed Protection Program – Recovery

Section 1A

Date of Report: 7-11-12

DSR Number: LBF 2012-14

Project Number: 5029

Section 1B Sponsor Information

Sponsor Name: Address: City/State/Zip: Telephone Number: Fax:

Section 1C Site Location Information

County: Lincoln State: New Mexico Congressional District: 2

Latitude: Longitude: Section: Township: Range:

UTM Coordinates: 13S 0434808 3695699

Drainage Name: Eagle Creek & Villa Madonna Reach: 31,000 feet

Damage Description: Little Bear Fire has destroyed vegetation on watershed, increasing potential for damage to residences from overland flow down steep slopes

Section 1D Site Evaluation

All answers in this Section must be YES in order to be eligible for EWP assistance.

Site Eligibility	YES	NO	Remarks
Damage was a result of a natural disaster?*	X		
Recovery measures would be for runoff retardation or soil erosion prevention?*	X		
Threat to life and/or property?*	X		
Event caused a sudden impairment in the watershed?*	X		
Imminent threat was created by this event?**	X		
For structural repairs, not repaired twice within ten years?**	X		
Site Defensibility			
Economic, environmental, and social documentation adequate to warrant action (Go to pages 3, 4, 5 and 6 ***)	X		
Proposed action technically viable? (Go to Page 9 ***)	X		

Have all the appropriate steps been taken to ensure that all segments of the affected population have been informed of the EWP program and its possible effects? YES

Comments: News media, public meetings

* Statutory

** Regulation

*** DSR Pages 3 through 5 are required to support the decisions recorded on this summary page. If additional space is needed on this or any other page in this form, add appropriate pages.

DSR NO: LBF 2012-14 Eagle Creek & Villa Madonna

1 of 14
Approved 7/2005

Section 1E Proposed Action

Describe the preferred alternative from Findings: Section 5 A:

ENCL 2

Install concrete barriers and silt fences around homes to protect from runoff due to Little Bear Fire. Remove burned materials from homes that do not have insurance, and haul to appropriate disposal site. Approximately 30 homes protected, and 10 homes where debris will be removed.

Total installation cost identified in this DSR: Section 3: **\$166,500**

Section 1F NRCS State Office Review and Approval

Reviewed By: Clifford E. Sánchez Date Reviewed: **7-11-12**
State EWP Program Manager

Approved By: _____ Date Approved: _____
State Conservationist

PRIVACY ACT AND PUBLIC BURDEN STATEMENT

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Signing this form indicates the sponsor concurs and agrees to provide the regional cost-share to implement the EWP recovery measure(s) determined eligible by NRCS under the terms and conditions of the program authority. Failure to provide a signature will result in the applicant being unable to apply for or receive a grant the applicable program authorities. Once signed by the sponsor, this information may not be provided to other agencies. IRS, Department of Justice, or other State or Federal Law Enforcement agencies, and in response to a court or administrative tribunal.

The provisions of criminal and civil fraud statutes, including 18 U.S.C. 286, 287, 371, 641, 651, 1001; 15 U.S.C. 714m; and 31 U.S.C. 3729 may also be applicable to the information provided. According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0578-0030. The time required to complete this information collection is estimated to average 117/1.96 minutes/hours per response, including the time for reviewing instructions, searching existing data sources, field reviews, gathering, designing, and maintaining the data needed, and completing and reviewing the collection information.

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DAMAGE SURVEY REPORT (DSR)
Emergency Watershed Protection Program – Recovery

Section 1A

Date of Report: 7-11-12

DSR Number: LBF 2012-15

Project Number: 5029

Section 1B Sponsor Information

Sponsor Name:

Address:

City/State/Zip:

Telephone Number:

Fax:

Section 1C Site Location Information

County: Lincoln

State: New Mexico

Congressional District: 2

Latitude: _____

Longitude: _____

Section: _____ Township: _____ Range: _____

UTM Coordinates: 13S 0437036 3703163

Drainage Name: Magado Canyon

Reach: 2,000 feet

Damage Description: Little Bear Fire has destroyed vegetation on watershed, increasing potential for damage to residences from overland flow down steep slopes and channel flow

Section 1D Site Evaluation

All answers in this Section must be YES in order to be eligible for EWP assistance.

Site Eligibility	YES	NO	Remarks
Damage was a result of a natural disaster?*	X		
Recovery measures would be for runoff retardation or soil erosion prevention?*	X		
Threat to life and/or property?*	X		
Event caused a sudden impairment in the watershed?*	X		
Imminent threat was created by this event?**	X		
For structural repairs, not repaired twice within ten years?**	X		
Site Defensibility			
Economic, environmental, and social documentation adequate to warrant action (Go to pages 3, 4, 5 and 6 ***)	X		
Proposed action technically viable? (Go to Page 9 ***)	X		

Have all the appropriate steps been taken to ensure that all segments of the affected population have been informed of the EWP program and its possible effects? YES

Comments: News media, public meetings

* Statutory

** Regulation

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ENCL 3

DSR NO: LBF 2012-15 Magado Canyon

Section 1E Proposed Action

Describe the preferred alternative from Findings: Section 5 A:

Install concrete barriers and silt fences around homes to protect from runoff due to Little Bear Fire. Remove burned materials from homes that do not have insurance, and haul to appropriate disposal site. Approximately 30 homes protected, and 20 homes where debris will be removed. Aerial seeding on 1500 acres to restore vegetative cover.

Total installation cost identified in this DSR: Section 3: **\$193,000**

Section 1F NRCS State Office Review and Approval

Reviewed By: **Clifford E. Sánchez**
State EWP Program Manager

Date Reviewed: **7-11-12**

Approved By: _____
State Conservationist

Date Approved: _____

PRIVACY ACT AND PUBLIC BURDEN STATEMENT

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Signing this form indicates the sponsor concurs and agrees to provide the regional cost-share to implement the EWP recovery measure(s) determined eligible by NRCS under the terms and conditions of the program authority. Failure to provide a signature will result in the applicant being unable to apply for or receive a grant the applicable program authorities. Once signed by the sponsor, this information may not be provided to other agencies. IRS, Department of Justice, or other State or Federal Law Enforcement agencies, and in response to a court or administrative tribunal.

The provisions of criminal and civil fraud statutes, including 18 U.S.C. 286, 287, 371, 641, 651, 1001; 15 U.S.C. 714m; and 31 U.S.C. 3729 may also be applicable to the information provided. According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0578-0030. The time required to complete this information collection is estimated to average 117/1.96 minutes/hours per response, including the time for reviewing instructions, searching existing data sources, field reviews, gathering, designing, and maintaining the data needed, and completing and reviewing the collection information.

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DAMAGE SURVEY REPORT (DSR)
Emergency Watershed Protection Program – Recovery

Section 1A

Date of Report: 7-11-12

DSR Number: LBF 2012-18

Project Number: 5029

Section 1B Sponsor Information

Sponsor Name: Address: City/State/Zip:

Telephone Number

Fax

Section 1C Site Location Information

County: Lincoln

State: New Mexico

Congressional District: 2

Latitude:

Longitude:

Section:

Township:

Range:

UTM Coordinates: 13S 0434808 3695699

Drainage Name: Angus & Church Camp Subdivision

Reach: 40 acres

Damage Description: Little Bear Fire has destroyed vegetation on watershed, increasing potential for damage to residences from overland flow down steep slopes

Section 1D Site Evaluation

All answers in this Section must be YES in order to be eligible for EWP assistance.

Site Eligibility	YES	NO	Remarks
Damage was a result of a natural disaster?*	X		
Recovery measures would be for runoff retardation or soil erosion prevention?*	X		
Threat to life and/or property?*	X		
Event caused a sudden impairment in the watershed?*	X		
Imminent threat was created by this event?**	X		
For structural repairs, not repaired twice within ten years?***	X		
Site Defensibility			
Economic, environmental, and social documentation adequate to warrant action (Go to pages 3, 4, 5 and 6 ***)	X		
Proposed action technically viable? (Go to Page 9 ***)	X		

Have all the appropriate steps been taken to ensure that all segments of the affected population have been informed of the EWP program and its possible effects? YES

Comments: News media, public meetings

* Statutory

** Regulation

*** DSR Pages 3 through 5 are required to support the decisions recorded on this summary page. If additional space is needed on this or any other page in this form, add appropriate pages.

DSR NO: LBF 2012-17 Angus & Church Camp Subdivision

Section 1E Proposed Action

ENCL 4

Describe the preferred alternative from Findings: Section 5 A:

Install sewage pipe extensions and caps to 160 total taps to the Sewage Treatment Plant to protect the sewage plant from overfilling and flooding into the Rio Bonito, and protect water quality. Install concrete barriers and silt fences around homes to protect from runoff due to Little Bear Fire. Remove burned materials from homes that do not have insurance, and haul to appropriate disposal site. Approximately 30 homes protected, and 10 homes where debris will be removed.

Total installation cost identified in this DSR: Section 3: **\$184,000**

Section 1F NRCS State Office Review and Approval

Reviewed By:

Clifford E. Sanchez

State EWP Program Manager

Date Reviewed: 8-1-12

Approved By:

State Conservationist

Date Approved: _____

PRIVACY ACT AND PUBLIC BURDEN STATEMENT

NOTE: The following statement is made in accordance with the Privacy Act of 1974, (5 U.S.C. 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the following information is 7 CFR 624 (EWP) and Section 216 of the Flood Control Act of 1950, Public Law 81-516, 33 U.S.C. 701b-1; and Section 403 of the Agricultural Credit Act of 1978, Public Law 95-334, as amended by Section 382, of the Federal Agriculture Improvement and Reform Act of 1996, Public Law 104-127, 16 U.S.C. 2203. EWP, through local sponsors, provides emergency measures for runoff retardation and erosion control to areas where a sudden impairment of a watershed threatens life or property. The Secretary of Agriculture has delegated the administration of EWP to the Chief or NRCS on state, tribal and private lands.

Signing this form indicates the sponsor concurs and agrees to provide the regional cost-share to implement the EWP recovery measure(s) determined eligible by NRCS under the terms and conditions of the program authority. Failure to provide a signature will result in the applicant being unable to apply for or receive a grant the applicable program authorities. Once signed by the sponsor, this information may not be provided to other agencies. IRS, Department of Justice, or other State or Federal Law Enforcement agencies, and in response to a court or administrative tribunal.

The provisions of criminal and civil fraud statutes, including 18 U.S.C. 286, 287, 371, 641, 651, 1001; 15 U.S.C. 714m; and 31 U.S.C. 3729 may also be applicable to the information provided. According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0578-0030. The time required to complete this information collection is estimated to average 117/1.96 minutes/hours per response, including the time for reviewing instructions, searching existing data sources, field reviews, gathering, designing, and maintaining the data needed, and completing and reviewing the collection information.

USDA NONDISCRIMINATION STATEMENT

"The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.)

Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotope, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination write USDA, Director of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800)795-3272 (voice) or (202)720-6382 (TDD). USDA is an equal opportunity provider and employer.

Civil Rights Statement of Assurance

The program or activities conducted under this agreement will be in compliance with the nondiscrimination provisions contained in the Titles VI and VII of the Civil Rights Act of 1964, as amended; the Civil Rights Restoration Act of 1987 (Public Law 100-259); and other nondiscrimination statutes: namely, Section 504 of the Rehabilitation Act of 1973, Title IX of the Amendments of 1972, the Age Discrimination Act of 1975, and the Americans with Disabilities Act of 1990. They will also be in accordance with regulations of the Secretary of Agriculture (7 CFR 15, 15a, and 15b), which provide that no person in the United States shall on the grounds of race, color, national origin, gender, religion, age or disability, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the U.S. Department of Agriculture or any agency thereof.

AGENDA DOCUMENTATION
September 6, 2012

Agenda Item No. 6

SUBJECT

Approval/Imposition of Property Tax Rates for 2012-2013

ACTION REQUESTED BY

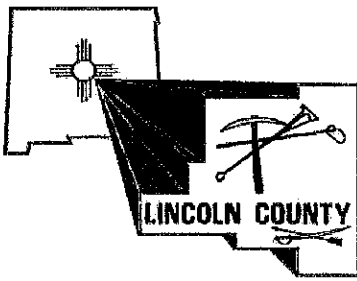
County Manager

ACTION REQUESTED

To be determined

BACKGROUND

See an attached memorandum from county manager.



www.lincolncountynm.net

County of Lincoln

P.O Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (575) 648-2385

September 5, 2012

MEMORANDUM

TO: County Commissioners

FROM: Nita Taylor, Lincoln County Manager *mt*

SUBJECT: Certificate of Tax Rates Approval

Purpose: To obtain a written order imposing the 2012-2013 Tax Rates in the County.

Discussion:

Each year the Board of County Commissioners is required to review and issue an order imposing new tax rates for the fiscal year. The statute in question states as follows:

7-38-34. Board of county commissioners to order imposition of the tax.

Statute text

Within five days of receipt of the property tax rate-setting order from the department of finance and administration, each board of county commissioners shall issue its written order imposing the tax at the rates set on the net taxable value of property allocated to the appropriate government units. A copy of this order shall be delivered immediately to the county assessor.

Attached at enclosure 1 is the letter and rates from DFA dated September 4, 2012 that was received certified mail on September 5, 2012. Assessor and Treasurer have reviewed the rates and certify their accuracy. At enclosure 2 is the written order imposing the rates for signature and delivery to the Assessor as required.

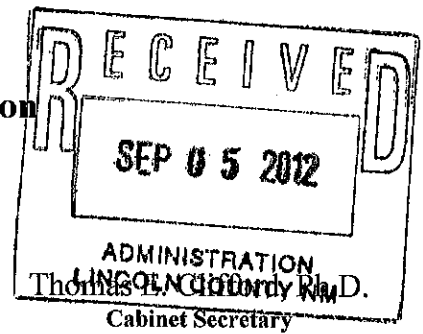
Recommendation:

After the Treasurer and Assessor review the rates and answer questions, approve and have the Chair sign the letter at enclosure 2.



Susana Martinez
GOVERNOR

State of New Mexico
Department of Finance & Administration
180 Bataan Memorial Building
Santa Fe, New Mexico 87501
Phone: (505) 827-4985
Fax: (505) 827-4984



September 4, 2012

BY CERTIFIED MAIL

Eileen Sedillo, Chair
Lincoln County Commission
P. O. Box 711
Carrizozo, NM 88301

RE: Order Setting Property Tax Rates - 2012 Property Tax Year

Dear Chair Sedillo:

Pursuant to Sections 7-37-7(A) and 7-38-33(A) NMSA 1978, I issue this order setting as the 2012 property tax rates for all governmental units imposing rates in your county the rates set forth in the attached Certificate of Property Tax Rates (Certificate).

Section 7-38-34 NMSA 1978 requires the Board of County Commissioners (Board) to issue and deliver to the County Assessor its own written order imposing these rates within five days of its receipt of this letter rate-setting order. Before the Board issues its order, the county is responsible for ensuring that the rates are correct, in accordance with 3.6.50.11(D) NMAC. To further those efforts, please immediately share the Certificate with all governmental entities (other than the State) that have rates included in the Certificate, so that they can also check the accuracy of their rates. In addition, please note that the "percentage change I" used in Section 7-37-7.1(A) NMSA 1978's yield control calculations this year was 3.30%.

Any questions concerning or suspected errors in the rates should be immediately brought to the attention of the Local Government Division's John Gallegos at (505) 827-8065.

Sincerely,

Thomas E. Clifford, Ph.D.
Secretary of Finance & Administration

Encl: Certificate of Property Tax Rates

cc: Property Tax Division, Taxation & Revenue Department
County Assessor – Certified Mail
County Treasurer – Regular Mail

ENCL 1

CERTIFICATE OF PROPERTY TAX RATES IN MILLS

LINCOLN COUNTY

TAX YEAR 2012

NET TAXABLE VALUE:

\$1,105,798,545

MUNICIPALITY:	Ruidoso	Ruidoso Downs	Ruidoso Downs	Ruidoso Downs	Carlizozo
TAXABLE VALUE:	108,149,152	21,886,648	61,863,082	33,348,265	7,659,023
CATEGORY:	3 IN NR	35 IN NR	35 IN NR	3/35 OUT NR	7 IN NR
State Debt Service	1.360	1.360	1.360	1.360	1.360
County Operational	1.360	1.360	1.360	1.360	1.360
County Debt Service	8.850	8.850	8.850	8.850	8.850
Special Mill Levy	2.750	2.750	2.750	2.750	2.750
Total State	11.600	11.600	11.600	11.600	11.600
Total County	5.277	5.277	5.277	5.277	5.277
Total Municipal	5.277	5.277	5.277	5.277	5.277
School District Operational	0.481	0.481	0.481	0.481	0.481
School District Debt Service	5.858	5.858	5.858	5.858	5.858
School Dist. Cap. Improvement	2.000	2.000	2.000	2.000	2.000
House Bill 33, School Building	0.000	0.000	0.000	0.000	0.000
School District Ed. Tech. Debt SVC	0.000	0.000	0.000	0.000	0.000
Total School District	8.339	8.339	8.339	8.339	8.339
Total State, County, Municipal, & School District	26.578	26.578	26.578	26.578	26.578
Other:	2.000	2.000	2.000	2.000	2.000
Lincoln County Medical Center	0.600	0.600	0.600	0.600	0.600
Rural Clinics	1.888	1.888	1.888	1.888	1.888
ENMU Ruidoso Instr Center (1)	4.488	4.488	4.488	4.488	4.488
Total Other	8.876	8.876	8.876	8.876	8.876
GRAND TOTAL	35.454	35.454	35.454	35.454	35.454
Where Applicable:					
Cattle Indemnity	10.000	10.000	10.000	10.000	10.000
Sheep/Goats/Swine/Alpacas	10.000	10.000	10.000	10.000	10.000
Dairy Cattle	5.000	5.000	5.000	5.000	5.000
Bison/Camelids/Ratite	10.000	10.000	10.000	10.000	10.000
Horses/Asses/Mules	10.000	10.000	10.000	10.000	10.000
Predator Control:	0.55 cents per head on cattle, sheep & goats	0.55 cents per head on cattle, sheep & goats	0.55 cents per head on cattle, sheep & goats	0.55 cents per head on cattle, sheep & goats	0.55 cents per head on cattle, sheep & goats
Alpine Village SDT	6.102	6.102	6.102	6.102	6.102
Sun Valley SD	5.594	5.594	5.594	5.594	5.594
Alto Lakes WSD:	0.000	0.000	0.000	0.000	0.000
(1) To: ENMU Controller					
Hwy 70					
Portales, NM 88130					

CERTIFICATE OF PROPERTY TAX RATES IN MILLS

LINCOLN COUNTY

TAX YEAR 2012

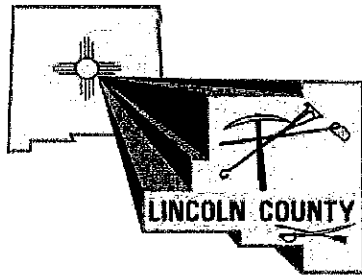
NET TAXABLE VALUE:

\$1,105,798,545

MUNICIPALITY:	288,833,365	58,159,282	Ruidoso	Ruidoso
TAXABLE VALUE:	28,000,000	28 OUT NR	28 OUT NR	28-RU IN NR
CATEGORY:	1,360	1,360	1,360	1,360
State Debt Service	1,360	1,360	1,360	1,360
Total State	2,720	2,720	2,720	2,720
County Operational	2,720	2,720	2,720	2,720
County Debt Service	2,720	2,720	2,720	2,720
Special Mill Levy	2,720	2,720	2,720	2,720
Total County	5,440	5,440	5,440	5,440
Municipal Operational	5,440	5,440	5,440	5,440
Municipal Debt Service	5,440	5,440	5,440	5,440
Total Municipal	10,880	10,880	10,880	10,880
School District Operational	10,880	10,880	10,880	10,880
School District Debt Service	10,880	10,880	10,880	10,880
School Dist. Cap. Improvement	10,880	10,880	10,880	10,880
House Bill 33, School Building	10,880	10,880	10,880	10,880
School District Ed. Tech. Debt SVC	10,880	10,880	10,880	10,880
Total School District	21,760	21,760	21,760	21,760
Total State, County, Municipal, & School District	32,640	32,640	32,640	32,640
Other:	32,640	32,640	32,640	32,640
Lincoln County Medical Center	32,640	32,640	32,640	32,640
Rural Clinics	32,640	32,640	32,640	32,640
ENMU Ruidoso Instr Center (1)	32,640	32,640	32,640	32,640
Total Other	32,640	32,640	32,640	32,640
GRAND TOTAL	65,280	65,280	65,280	65,280

Where Applicable:

Cattle Indemnity	10.000
Sheep/Goats/Swine/Alpaca	10.000
Dairy Cattle	5.000
Bison/Camelids/Ratite	10.000
Horses/Asses/Mules	10.000



www.lincolncountynm.net

County of Lincoln

P.O Box 711 • 300 Central Ave. • Carrizozo, New Mexico 88301-0711 • (575) 648-2385

September 6, 2012

Thomas E. Clifford, Ph.D.
Cabinet Secretary Designate
Department of Finance and Administration
Bataan Memorial Building, Suite 201
Santa Fe, New Mexico 87501

RE: Certificate of Property Tax Rates – 2012 Tax Year and Written Order

Dear Mr. Clifford:

The Lincoln County Board of Commissioners meeting in special session on September 6, 2012, voted to approve the above-mentioned Certificate of Property Tax Rates, and hereby issue this written order to the Assessor imposing the tax at the rates set on the taxable value of property allocated to the appropriate governmental units.

Thank you for your staff's assistance in this matter.

Sincerely,

Eileen Sedillo, Chair
Board of County Commissioners

ATTEST:

Rhonda Burrows, County Clerk

Cc/encl: Property Tax Division
Paul Baca, Assessor
Glenna Robbins, Treasurer

ENCL 2